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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/616,890

07/09/2003

R. J. Harris

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22852

7590

03/28/2006

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EXAMINER

RAEVIS, ROBERT R

ART UNIT

PAPER NUMBER

2856

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/616,890

Applicant(s)

HARRIS, R. J.

Examiner

Robert R. Raevis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 16-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14, 16-35, 38 is/are allowed.
- 6) ☒ Claim(s) 36, 37, 39 and 40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim 40 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claim 40, "pipe a support" (lines 2-3 from last) is confusing. Where does the pipe end and the support begin?

Claim 37 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Jenkins et al '800.

Jenkins teaches (Figures 3, 4A, 4B) a system, including: means for attaching a tow line 51 (See "drawstring 51 attached to nose 52", col. 4, lines 62-63); means for sealing (i.e. the *surface* of element 162 that *faces* the interior of the pipe when element 162 is being deflected by the pipe as the element is being pulled by line 51) against the inside wall of a pipe coupled to the attaching means, the sealing means including a conical section having a small diameter end (within notch 169) that's attached to the attaching means, and a large diameter end, both ends of which are apparent when the means for sealing is deflected by either the pipe as the line 51 is being pulled; means for supporting the large diameter end (i.e. the bulk of element 162 that is *below the exterior surface* that faces the interior of the pipe, and which bulk both supports the large diameter end), the supporting means being coupled to the inside portion of the large diameter end so that the large diameter end substantially seals against the inside

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wall of the pipe; and means for centering 166 the sealing means within the pipe. The seal is constructed of "silicon rubber" (col. 5, line 19).

Claim 37,40 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Biggerstaff.

As to claim 37, Biggerstaff teaches (Figure 2) an apparatus, including: means for attaching 63 to a tow line 35; means for sealing against a pipe coupled to the attaching means, the sealing means including a conical section having small diameter end (portion between elements 32 and 36) attached to the attaching means, and a large diameter end 33; means for supporting 32,36 the large diameter end, wherein the supporting means is coupled to the inside portion of the large diameter end to permit for sealing; and means for centering 59 the sealing means within the pipe.

As to claim 40, Biggerstaff teaches (Figure 2) an apparatus, including: central portion including a centralizing portion 40 and a plug portion 59; gasket portion disposed about the central portion, the gasket portion sealing against an inside wall of a pipe as it is pulled via a tow line 35, the gasket portion having a conical section gasket having a small diameter end attached to the central portion, and a large diameter end sealing against the inside wall of the pipe; and support 36 coupled to the inside portion of the large diameter end so that the large diameter end seals against the inside wall of the pipe.

Claims 36,39 are rejected under 35 U.S.C. 102(b) as being anticipated by Huber.

As to claim 36, Huber teaches (Figures 4A to 4C) an apparatus, including: means for attaching (lug 171 on the longitudinal axis) to a first tow line 174 (line on right hand side of Figure 4A); means for sealing against the inside wall of a pipe coupled to the attaching means, the sealing means including a conical *section* 172 having a small diameter end attached to the means for attaching to a tow line and a large diameter end that seals the inside wall of the pipe; fluid on the left hand side of web 134 that applies pressure to the sealing element against the channel 142 of seat 113, thus aiding in supporting the large diameter end, thus providing a means for supporting the large diameter end; and a means 174 (second tow line, to the left of web 134) for breaking the seal when pulling opposite the first tow line, wherein the braking means results in the release of pressure applied by the fluid on the large diameter end so that the large diameter end no longer seals against the inside wall of the pipe. Please note that col. 10, lines 15-25, states that pulling may be carried out on "either the pressurized or unpressurized side of the test baffle" to remove the baffle from the line, consistent with the explanation in this paragraph.

In the alternative, as to claim 36, Huber teaches (Figures 4A to 4C) an apparatus, including: means for attaching (lug 171 on the longitudinal axis) to a first tow line 174 (line on right hand side of Figure 4A); means for sealing against the inside wall of a pipe coupled to the attaching means, the sealing means including a conical *section* 172 having a small diameter end attached to the means for attaching to a tow line and a large diameter end that seals the inside wall of the pipe; a channel 142 that supports the large diameter end, providing a means for supporting the large diameter end; and a

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means 174 (second tow line, to the left of web 134) for breaking the seal when pulling opposite the first tow line; wherein the braking means results in the release of pressure applied by the channel on the large diameter end so that the large diameter end no longer seals against the inside wall of the pipe. Please note that col. 10, lines 15-25, states that pulling may be carried out on "either the pressurized or unpressurized side of the test baffle" to remove the baffle from the line, consistent with the explanation in this paragraph.

As to claim 39, Huber teaches (Figures 4A to 4C) an apparatus, including: means for attaching (lug 171 on the longitudinal axis) to a first tow line 174 (line on right hand side of Figure 4A); means for sealing 134 against the inside wall of a pipe coupled to the attaching means; means for supporting 170 the sealing means against surface 115 as shown in Figure 4A; means for centering the sealing means 132 and/or 142 and/or 115 within the pipe; and means (second tow line 174) for breaking the seal when pulling the supporting means opposite to the first tow line. Please note that col. 10, lines 15-25, states that pulling may be carried out on "either the pressurized or unpressurized side of the test baffle" to remove the baffle from the line, consistent with the explanation in this paragraph.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert R. Raavis whose telephone number is 571-272-2204. The examiner can normally be reached on Monday to Friday from 7am to 4pm.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RAEVIS